IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

FRIDAY, THE 13TH APRIL 2007 / 23RD CHAITHRA 1929

RPFC.No. 192 of 2007()

MC.19/2004 of FAMILY COURT, ERNAKULAM
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REVISION PETITIONER:

NASSER, AGED 39 YEARS, S/O. UMMER,
KIZHAKKECHOZHAKUNNEL HOUSE,
PERUMPILLICHIRA KARA, KUMARAMANGALAM VILLAGE,
THODUPUZHA.

BY ADV. SRI.K.A.HASSAN

RESPONDENTS:
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1. HAJARA, AGED 33 YEARS, D/O. PAREED,
PARAYIL, (THELLIKUNNEL) HOUSE,
MARADY VILLAGE, MARADY KARA,
MUVATTUPUZHA.

2. SAKHILA, AGED 4 YEARS, D/O. NASSER,
MINOR, REP. BY HER MOTHER AND
NATURAL GUARDIAN HAJARA, AGED 30 YEARS.

BY ADV. SRI. C.M. KAMMAPPU, PUBLIC PROSECUTOR
SRI.A.T.ANILKUMAR

THIS REV.PETITION(FAMILY COURT) HAVING COME UP FOR ADMISSION ON 13/04/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R. UDAYABHANU, J

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R.P(F.C). NO. 192 OF 2007

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Dated this the 13th day of April 2007

O R D E R

The revision petitioner is the counter petitioner in M.C. No.19/2004 filed under Section 125 of the Criminal Procedure Code. The matter has been adjudicated allowing maintenance at the rate of Rs. 750/- each per month to the respondents. It is submitted that on the date of examination the counsel for the revision petitioner could not be present in the court.

2. In the circumstances, the order of the court below is set aside on condition that the revision petitioner deposits the entire arrears due towards the child less the amount if any already deposited before the court below within one month from today and continuing to deposit at the rate ordered by the court below for child. On deposit of the amount, the court shall permit the parties to adduce evidence and dispose of the case on merits.

The R.P(F.C) is disposed of accordingly.

K.R. UDAYABHANU, JUDGE.

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